

**SUMMARY REPORT DIGEST-
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT**

302493

DATE OF REPORT (DAY-MO.-YEAR)

26 January 2005

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED or in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE

ATTENTION ☐ ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
☒ ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM-INVESTIGATOR'S NAME		RANK	STAR NO.	SOCIAL SEC. NO.	EMPLOYEE NO.	UNIT ASSIGN.	
Albert B. WENDT		P.A.	13635			121-S	
ADDRESS OF INCIDENT			DATE OF INCIDENT - TIME		BEAT OF INCIDENT	LOCATION CODE*	
26th Street & Christiana			07 December 2004 - 1803		1013	17	
ACCUSED	NAME	RANK	STAR NO.	SOCIAL SEC. NO.	EMPLOYEE NO.	UNIT ASSIGN.	
	1. Aaron B. CUNNINGHAM	PO	15522			010	
	2. David L. HARRIS	PPO	16489			044/015/001	
	SEX/RACE	D.O.B.	DATE OF APPOINTMENT		DUTY STATUS (TIME OF INCIDENT)		
	1. M / W		29 June 1998		<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		
	2. M / B		25 August 2003		<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		
IF APPLICABLE - DATE ARRESTED/INDICTED		CHARGES		COURT BRANCH	DISPOSITION & DATE		
1.							
2.							
COMPLAINANTS	NAME	ADDRESS**	CITY STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE†
					M / B	66 / 39	UNK
VICTIMS	NAME	ADDRESS**	CITY STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE†
WITNESSES	NAME	ADDRESS**	CITY STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE†

☐ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

ALLEGATIONS
The complainant alleges that two officers stopped and detained him (in the squad car) because he is black. The complainant alleges he was stopped by a male/white officer with the last name of "CUNNINGHAM" and a male/black officer with the last name of "HARRIS".

I.A.D. LOCATION CODES*

01 Food Sales/Restaurant	11 Public Transportation Veh./Facility
02 Tavern/Liquor Store	12 Park District Property
03 Other Business Establishment	13 Airport
04 Police Building	14 Public Property Other
05 Lockup Facility	15 Other Private Premise
06 Police Maintenance Facility	16 Expressway/Interstate System
07 CPD Automotive Pound Facility	17 Public Way - Other
08 Other Police Property	18 Waterway, Incl. Park District
09 Police Communications System	19 Private Residence
10 Court Room	

I.A.D. PHYSICAL CONDITION CODES†

01 No Visible Injury - Apparently Normal
02 No Visible Injury - Under Influence
03 Injured, Not Hospitalized
04 Injured, Not Hospitalized - Under Influence
05 Injured, Hospitalized
06 Injured, Hospitalized - Under Influence
07 Injured, Refused Medical Aid
08 Injured, Refused Medical Aid - Under Influence
09 Deceased
10 Deceased - Under Influence

* IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s). In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Compliment-ary History will be included as attachments.

From 13 December 2004 through 20 December 2004 the undersigned has called the supplied telephone numbers of the complainant on several occasions and left voice messages for him to call the undersigned regarding this investigation. All attempts have returned with negative results.

The undersigned through Department documents and records has established that on 07 December 2004 at 1803 hours Beat 1013 which was manned by Police Officer CUNNINGHAM and HARRIS performed a street stop at the corner of 26th Street and Christiana. During this stop the officer's ran name and vehicle checks for a subject named [REDACTED] and a 2003 Acura bearing California license plate # [REDACTED] (Attachment's 3, 4, 5, 6)

A review of PDT records indicate that the complainant, [REDACTED] has a current Illinois Drivers license registered to [REDACTED]. With this information the undersigned mailed a certified letter to the address on 28 December 2004 asking for the complainant to contact the investigator regarding the allegations. (Attachment's 7, 8, 9)

As of 26 January 2005 the undersigned has checked with the U.S. Postal Service tracking system and confirmed that the certified letter mailed to the complainant was delivered on 29 December 2004. As of 26 January 2005 the undersigned has had no reply contact from the complainant regarding the investigation of these allegations. (Attachment's 10, 11)

With no further contact from the complainant the undersigned investigator recommends that the investigation of CR# 302493 be closed with a finding of UNFOUNDED, due to the failure of the complainant to cooperate with this investigation.

SUMMARY

ATTACHMENTS	INVESTIGATIVE REPORTS- SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS:	INVESTIGATIVE REPORTS- SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS:	PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
	1	NONE	NONE	11

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation.

Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

CR# 302493

ACCUSED #1 Police Officer Aaron B. CUNNINGHAM, Star 15522, Unit 010

#2 Probationary Police Officer David L. HARRIS, Star 16489, Unit 044/015/001

ALLEGATION: UNFOUNDED - Due to the complainant's failure to cooperate with this investigation the allegation has been determined to be false or not factual.

RECOMMENDATION: NO DISCIPLINARY ACTION

FINDINGS--RECOMMENDATIONS

DATE INITIATED (DATE COMPLAINT WAS RECEIVED FOR INVESTIGATION)	13DEC04	DATE COMPLETED (DATE OF THIS REPORT)	26JAN05	ELAPSED TIME (TOTAL TIME, EXPRESSED IN DAYS)	45
Investigator will initiate the Command Channel Review form by completing the Investigator's Section.					

IF NECESSARY, USE AN 8½ x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

EVIDENCE SHEET

CR # 302493

Page 1 of 1

1. Complaint Against Department Member
- 1a. Complaint Register Investigation Conflict Certification
2. Copy, 10th District, 3rd watch Assignment log, 07 December 2004
3. Copy, Attendance & Assignment Record, Unit 010, 07 December 2004, Page 12
4. Copy, Office of Emergency Communications Events, Unit 010 on 07 December 2004 from 1700 until 2000 hours
5. Copy, Office of Emergency Management & Communications, PDT messages, on 07 December 2005, 1700 - 1900 hours
6. Copy, Secretary of State, Leads Response, Drivers license, [REDACTED]
7. Copy, Certified Letter mailed on 28 December 2004 to complainant [REDACTED]
[REDACTED]
8. Copy, Certified envelope, Domestic Return Receipt, Certified Mail Receipt mailed to complainant, [REDACTED]
9. Certified Mail Receipt, dated: 28 December 2004, addressed to [REDACTED]
10. Copy, U.S. Postal Service tracking information of [REDACTED]
indicating delivery on 29 December 2004 at 1319 hours.
11. Report, Synopsis of investigation, Police Agent Albert B. WENDT, Star 13635, Unit 121-S